

**UNSEALED VERSION OF
DOCKET NO. 378****IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Chapter 11

ZOHAR III, CORP.,¹

Case No. 18-10512 (KBO)

Debtors.

Jointly Administered

DAVID DUNN, as Litigation Trustee
for Zohar Litigation Trust-A;

Adv. Pro. No. 20-50534 (KBO)

Plaintiff,

-against-

PATRIARCH PARTNERS, LLC;
PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
PHOENIX VIII, LLC; OCTALUNA
LLC; OCTALUNA II LLC;
OCTALUNA III LLC; ARK II CLO

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number, is Zohar III, Corp., (9612). The Debtor's address is c/o Province, LLC 70 Canal Street, Suite 12E, Stamford, CT 06902. In addition to Zohar III, Corp., the Debtor's affiliates include the following debtors whose bankruptcy cases have been closed prior to the date hereof, along with the last four digits of their respective federal tax identification numbers and chapter 11 case numbers: Zohar II 2005-1, Corp. (4059) (Case No. 18-10513); Zohar CDO 2003-1, Corp. (3724) (Case No. 18-10514); Zohar III, Limited (9261) (Case No. 18-10515); Zohar II 2005-1, Limited (8297) (Case No. 18-10516); Zohar CDO 2003-1, Limited (5119) and (Case No. 18-10517). All motions, contested matters, and adversary proceedings that remained open as of the closing of such cases, or that are opened after the date thereof, with respect to such Closed-Case debtors, are administered in this remaining chapter 11 case.

2001-1, LIMITED; ARK
INVESTMENT PARTNERS II, LP;
ARK ANGELS VIII, LLC;
PATRIARCH PARTNERS
MANAGEMENT GROUP, LLC;
PATRIARCH PARTNERS AGENCY
SERVICES, LLC; and LYNN TILTON,

Defendants, and

180S, INC.; GLOBAL AUTOMOTIVE
SYSTEMS, LLC; INTREPID U.S.A.,
INC.; IMG HOLDINGS, INC.; SCAN-
OPTICS, LLC; STILA STYLES, LLC;
SNELLING STAFFING, LLC; and
VULCAN ENGINEERING, CO.,

Nominal

Defendants.

**DECLARATION OF BRIAN CAMPBELL IN SUPPORT OF PLAINTIFF'S
MOTION FOR LEAVE TO AMEND ITS COMPLAINT**

I, Brian Campbell, declare under penalty of perjury pursuant to 28 U.S.C.
§ 1746 as follows:

1. I am an associate of the firm Quinn Emanuel Urquhart & Sullivan, LLP,
counsel for David Dunn as Litigation Trustee for the Zohar Litigation Trust-A
("Plaintiff") in this action.

2. I respectfully submit this declaration in support of *Plaintiff's Motion for Leave to Amend its Complaint*, filed concurrently herewith, and to transmit true and correct copies of certain documents cited therein.

3. Attached hereto as **Exhibit D** is a true and correct copy of email correspondence between counsel for Defendants and counsel for Plaintiff between November 8, 2022 and May 1, 2023.

4. Attached hereto as **Exhibit E** is a true and correct copy of an excerpt of the transcript of Lynn Tilton's May 10, 2023 deposition in *Patriarch Partners Agency Services, LLC v. Zohar CDO 2003-1, Ltd., et al.*, No. 16 Civ. 4488 (VM) (KHP).

5. Attached hereto as **Exhibit F** is a true and correct copy of email correspondence between counsel for Plaintiff and counsel for Defendants between May 18, 2023 and May 19, 2023.

6. Attached hereto as **Exhibit G** is a true and correct copy of correspondence between counsel for Plaintiff and counsel for Defendants dated May 15, 2023.

7. Attached hereto as **Exhibit H** is a true and correct copy of the Credit Agreement of Croscill Acquisition, LLC, dated November 7, 2008.

8. Attached hereto as **Exhibit I** is a true and correct copy of the Collateral Management Agreement among Zohar III, Limited, Zohar III, LLC, and Patriarch Partners XV, LLC as Collateral Manager, dated April 6, 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2023, in Denver, Colorado.

/s/ Brian Campbell
Brian Campbell